

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GREGORY PAUL WILSON,

Civ. No. 06-721-AA

Petitioner,

OPINION AND ORDER

v.

BRIAN BELLEQUE, Superintendent,
Oregon State Penitentiary (as
custodian),

Respondent.

AIKEN, Chief Judge:

Pursuant to the parties' submissions dated November 9 and November 20, 2009, it is HEREBY ORDERED that the sentence imposed on Count 13 in State v. Wilson, Multnomah County Circuit Court Case No. 92-0834764 is VACATED. Within sixty days from the date of this order the State of Oregon shall resentence petitioner on Count 13 and shall consider whether resentencing is required on other counts as a result of the resentencing on Count 13. The parties may raise

and argue any issues that are available under Oregon law. Accordingly, petitioner's Motion for Summary Adjudication (doc. 28) is DENIED as moot.

IT IS SO ORDERED.

Dated this 22 day of December, 2009.

Ann Aiken
Ann Aiken
Chief United States District Judge